

U.S.S.N. 10/761,628

Remarks

Thorough examination by the Examiner is noted and appreciated.

The claims have been amended to overcome Examiners rejections as required by Examiner.

No new matter has been added.

For example, support for the amendments is found in the Figures 9 and 10, as well as in the Specification at paragraph 0049:

"As shown in Figure 10, as the interlocking lid lid 42 is opened from the closed position to the open position, the beveled lid shoulder 56 gradually assumes a downwardly-sloped configuration from the front edge 48a to the rear edge 48b of the panel body 48 of the base lid panel 44. In the event that liquid 76 inadvertently falls onto the exterior surface of the base lid panel 44, particularly onto the exterior or upper surface of the panel extension 50, the beveled lid shoulder 56 defines a downwardly-sloped liquid runoff surface along which the liquid 76 flows from the base lid panel 44. The shoulder slope 58 provided in the beveled lid shoulder 56 further facilitates runoff of the liquid 76 from the base lid panel 44, as shown in Figure 9. Consequently, the liquid 76 is substantially incapable of flowing from the panel extension 50 and into the tank interior 40, between the base lid panel 44 and the cover lid panel 60, upon opening of the interlocking lid 42."

U.S.S.N. 10/761,628

Claim Rejections under 35 USC 112

1. Claims 2, 4, 6, 8, 10, 12, and 13-20 stand rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. Examiner alleges that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Examiner alleges that the interlock flange and lid clasp are the same element. While not agreeing with Examiner that the lid clasp and interlock flanges are the same element, (i.e., the lid clasp is actually defined for sealed interlock flanges in the closed position), Applicants have amended the claims to overcome Examiners rejection.

Claim Rejections under 35 USC 102

2. Claims 1, 2, 5, 6, 9, 10, 13, 15, 17, and 19 stand rejected under 35 USC 102(e) as being anticipated by Gerber et al. (6,692,352).

U.S.S.N. 10/761,628

Gerber et al. disclose cover panels for grain storage tubes on combines or harvesting machines (see Abstract). The cover panels include flexible transition panels (see 30B, 30C; Figure 3) and side panels ((28) that extend the height of the grain storage tubes when in the open position. (see Abstract). The doors of the main (primary) cover panels include an interlocking closure joint (see item 72, 76; Figure 4; col 12, lines 12-29) where the reduced thickness portion (76) is configured as a **straight extension of the top surface of the cover panel**. Gerber et al. teach that the channel (88) formed by the closure joint directs rain water to the ends of the cover panels **since it presents an easier flow path** (e.g., compared to over the proximal edge 82) (see col 12, lines 34-49).

Gerber et al. also disclose an actuator mechanism for opening and closing the cover doors including a single electric cylinder and an assemblage of mechanical linkages that are **mounted within the grain storage tube (tank)** (see col 10, lines 39-50; Figure 2, items (58, 62, 54, 64, etc.)). Gerber et al. also disclose a plurality of ribs (34; e.g., Figure 2), which on the topside of the cover panels extend from the proximal edge to the distal edge (parallel to height of the panel when open) (see col

U.S.S.N. 10/761,628

8, lines 57-66).

Thus, Gerber et al. fail to disclose several aspects of Applicants disclosed and claimed invention including:

"An interlocking lid for a container for receiving and processing a plurality of substrates, comprising:

first and second lid panels for hingedly engaging the container adjacent to each other, said first and second lid panels positional between closed and opened positions; and

wherein at least one of said first and second lid panels comprises a beveled lid shoulder **comprising a downwardly-sloped liquid runoff surface for facilitating liquid runoff along a length of said beveled lid shoulder**, an interlock flange spaced-apart from said beveled lid shoulder and an interlock groove between said interlock flange and said beveled lid shoulder."

Thus, even assuming Gerber et al. is analogous art, Gerber et al. is clearly insufficient to anticipate Applicants disclosed and claimed invention.

U.S.S.N. 10/761,628

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim Rejections under 35 USC 103

3. Claims 3, 4, 7, 8, 11, 12, 14, 16, 18, and 20 stand rejected under 35 USC 103(a) as being unpatentable over Gerber et al., above.

Applicants reiterate the comments made above with respect to Gerber et al.

Applicants further note that the apparatus of Gerber et al. would not be able to accomplish the function of "receiving and processing a plurality of substrates" since the actuation mechanism of Gerber et al. for opening the cover panels would interfere with the function of "receiving and processing a

U.S.S.N. 10/761,628

plurality of substrates".

Thus, even assuming that Gerber et al. is analogous art, the further fact that Gerber et al. disclose an actuator mechanism for opening and closing the cover doors including a single electric cylinder and an assemblage of mechanical linkages that are mounted within the grain storage tube, does not further help Examiner in producing Applicants disclosed and claimed invention.

"Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Conclusion

The cited reference, even assuming it is analogous art, does not produce Applicants disclosed and claimed invention, and therefore fail to make out a *prima facie* case of anticipation or obviousness with respect to both Applicants independent and dependent claims.

U.S.S.N. 10/761,628

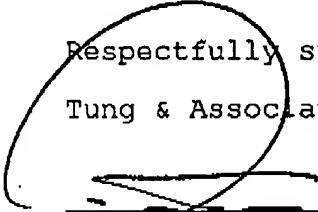
The Claims have been amended to overcome Examiner rejections. A favorable reconsideration of Applicants' claims is respectfully requested.

Based on the foregoing, Applicants respectfully submit that the Claims are now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

In the event that the present invention as claimed is not in condition for allowance for any reason, the Examiner is respectfully invited to call the Applicants' representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

Tung & Associates



Randy W. Tung
Reg. No. 31,311
Telephone: (248) 540-4040